

### REMARKS

This application has been carefully reviewed in light of the March 14, 2006 Office Action. Claims 2 to 9 are in the application, of which Claim 5 is independent. Claim 5 has been amended herein. Reconsideration and further examination are respectfully requested.

Claim 5 was rejected under 35 U.S.C. § 112, second paragraph. The rejection is respectfully traversed, and is submitted to have been obviated by the amendments made to Claim 5.

Claims 2 to 5 and 9 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,203,608 (Sun) in view of U.S. Patent No. 5,244,742 (Ogi). Claims 6 and 7 were rejected under 35 U.S.C. § 103(a) over Sun. Claim 8 was rejected under 35 U.S.C. § 103(a) over Sun in view of U.S. Patent No. 6,247,799 (Sakamaki). These rejections are respectfully traversed.

Claim 5 recites, *inter alia*, performing a purification operation on each of a plurality of materials to be used for preparing a sol-gel composition for forming a piezoelectric element, wherein said plurality of materials includes (i) a metal compound to be used to obtain a dispersoid in said sol-gel composition and (ii) a material to be used as a medium for dispersing said dispersoid.

Sun and Ogi, either alone or in combination, are not seen to disclose or suggest at least the above-discussed feature.

Sun and Ogi are merely seen to disclose purification of organometallic compounds used to form a ferroelectric thin film.

The Office Action states that it would have been obvious to purify any solvents and water used in the methods described in Sun and Ogi. This statement is unsupported by documentary evidence, and as such, is believed to be based on a common knowledge or “well known” prior art rationale. Accordingly, if this statement is repeated in the next Office Action, Applicants respectfully request that the Examiner produce authority to support the statement. See MPEP § 2144.03 (B and C).

Nothing in Sakamaki is seen to remedy the foregoing deficiencies of Sun and Ogi.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent claim discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa,  
California office by telephone at (714) 540-8700. All correspondence should be directed to  
our address given below.

Respectfully submitted,



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